

Applicants or Patentees: Richard J. Lazzara, Thomas S. Heylmun and Keith D. Beaty  
Serial or Patent No.:  
Attorney's Docket No.: PA09IMPI035  
Filed or Issued:  
For: Infection-Blocking Dental Implant

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Implant Innovations, Inc.  
ADDRESS OF CONCERN: 4555 Riverside Drive  
Palm Beach Gardens, FL 33410

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled "Infection-Blocking Dental Implant" by inventors described in

- ☒ the specification filed herewith  
☐ application serial no.: \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no.: \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

Keith D. Beaty

TITLE OF PERSON OTHER THAN OWNER:

Chief Executive Officer

ADDRESS OF PERSON SIGNING:

Implant Innovations, Inc.

4555 Riverside Drive

Palm Beach Gardens, FL 33410

SIGNATURE

Keith D. Beaty

DATE

Jan. 3, 1997.

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065270 5092260

## DECLARATION

PATENT  
IMPI:035

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe the below named inventors are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "~~INFECTION-BLOCKING~~ DENTAL IMPLANT", the specification of which was filed on January 3, 1997 as Application Serial No. 08/778,503.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN)  
PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119(a)-(d)**

I hereby claim foreign/pct priority benefits under Title 35, United States Code, §119 of any foreign/pct application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S)			Priority Claimed
			Yes/No
_____ (Number)	_____ (Country)	_____ (Date Filed)	

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATIONS(S) (35 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

60/009,592	January 4, 1996	Pending
(Application Serial No.)	(Filing Date)	(Status)

**CLAIM FOR BENEFIT OF PRIOR U.S. APPLICATIONS(S) (35 U.S.C. § 120)**


I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a), regarding events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

08/607,903	February 27, 1996	Pending
(Application Serial No.)	(Filing Date)	(Status)

I hereby direct that all correspondence and telephone calls be addressed to **Stephen G. Rudisill, Arnold, White & Durkee, P.O. Box 4433, Houston, Texas 77210, (312) 744-0090.**

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Richard J. Lazzara  
(First) (Initial) (Last)

Inventor's Signature: 

Date: 22 May 97 Country of Citizenship: U.S.A.

Residence: 1814 North "R" Street, Lake Worth, Florida 33460, U.S.A.  
(Include number, street name, city, state, and country)

Inventor's Full Name: Thomas S. Heylmun  
(First) (Initial) (Last)

Inventor's Signature: 

Date: 5-9-97 Country of Citizenship: U.S.A.

Residence: 387A Willow Pond Road, West Palm Beach, Florida 33417 U.S.A.  
(Include number, street name, city, state, and country)

Inventor's Full Name: Keith D. Beaty  
(First) (Initial) (Last)

Inventor's Signature: 

Date: 5-20-97 Country of Citizenship: U.S.A.

Residence: 16 Riverside Drive West, Jupiter, Florida 33469-2930 U.S.A.  
(Include number, street name, city, state, and country)

005210-50922260

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of: ) Atty. Docket No.: IMPI:035  
)  
RICHARD J. LAZZARA, ) Examiner: Paul Prebilio  
THOMAS S. HEYLMUN and )  
KEITH D. BEATY ) Group Art Unit: 3308  
)  
Application No: 08/778,503 )  
)  
Filed: January 3, 1997 )  
)  
For: INFECTION-BLOCKING DENTAL )  
IMPLANT )

**ELECTION UNDER 37 CFR §§ 3.71 AND 3.73  
AND POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an Assignment recorded in the U.S. Patent and Trademark Office as set forth below, hereby elects, under 37 CFR § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

Timothy R. Baumann, Reg. No. 40,502  
Michael J. Blankstein, Reg. No. 37,097  
Mary Jo Bolding, Reg. No. 34,713  
Daniel J. Burnham, Reg. No. 39,618  
Mark V. Campagna, Reg. No. P42,380  
Ronald B. Coolley, Reg. No. 27,187  
Roger J. French, Reg. No. 27,786  
Janet M. Garetto, Reg. No. P42,568  
John C. Gatz, Reg. No. P41,774  
Paul R. Kitch, Reg. No. 38,206  
Alejandro Menchaca, Reg. No. 34,389  
Stephen G. Rudisill, Reg. No. 20,087  
Steven R. Santema, Reg. No. 40,156

Jon D. Shutter, Reg. No. 41,311  
Steven Z. Szczepanski, Reg. No. 27,957  
Mark A. Thomas, Reg. No. 37,953  
Harold N. Wells, Reg. No. 26,044  
J. Paul Williamson, Reg. No. 29,600

each an attorney or agent for the firm of ARNOLD, WHITE & DURKEE, as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the U.S. Patent and Trademark Office in connection therewith, to receive any Letters Patent, and to file any request for a certificate of correction that may be deemed appropriate for one year after issuance of such Letters Patent.


Pursuant to 37 CFR § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment referenced below, and certifies that to the best of his knowledge and belief, title remains in the name of the Assignee, Implant Innovations, Inc.

Please direct all communications as follows.

Stephen G. Rudisill  
ARNOLD, WHITE & DURKEE  
P.O. Box 4433  
Houston, TX 77210-4433  
(312) 744-0090

IMPLANT INNOVATIONS, INC.

Date: 3-4-98

  
Edward Sabin  
Vice President of Finance and Administration

Assignment

☐ Concurrently filed

☒ Previously recorded

Date: December 8, 1997  
Reel: 8843  
Frame: 0011